

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 56196

Bamikole O Ajayi
Omodele Modupe Ajayi

8160 Glen Arbor Drive

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on April 1, 2009, for a hearing on a citation for violations under the Baltimore County Zoning Regulation (BCZR) section 101, 102.1, 1B01.1, 428, failure to keep property free of unlicensed motor vehicles on residential property zoned DR 5.5 known as 8160 Glen Arbor Drive, 21237.

On March 4, 2009, pursuant to §3-6-205, Baltimore County Code, Code Enforcement Officer, issued a code enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The following persons appeared for the Hearing and testified: the Respondent, Bamikole O. Ajayi and Jason Seidelman, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on February 13, 2009 for removal of all inoperative or untagged motor vehicles from outside storage on this residential property. Photographs show an untagged minivan, and another car with valid dealer plates. This Citation was issued on March 4, 2009. Photographs in the file show a different minivan with expired Minnesota license plates. Re-inspection on March 30, 2009 shows a car with a Minnesota license tag expiring March 31, 2009.

B. Mr. Ajayi testified that he was previously holding one vehicle for shipment to Nigeria, and that he sold another vehicle. Inspector Seidelman testified that it appears there may be a business being run from this residential location, which would be a violation of County zoning regulations.

C. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). Respondent has violated these limitations.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$200.00 (two hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be rescinded and reduced to \$0 (zero dollars) if upon re-inspection the property is found to be in compliance with zoning regulations, with no untagged or unlicensed vehicles being stored outside. If the Respondent fails to correct the violations, the civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 7th day of April 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO VIOLATOR: The violator is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Violator may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Violator may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order. Any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.

MZF/jaf